



# Penny Bernard Schaber

STATE REPRESENTATIVE 57th ASSEMBLY DISTRICT

*Serving the heart of Appleton*

For Immediate Release  
November 17, 2011

Contact: Rep. Bernard Schaber  
608-266-3070

## **Assembly Education Committee Passes Rep. Bernard Schaber's Bill Closing Daycare Loophole**

**AB 215 Would Stop Daycares from Posing as Private Schools**

MADISON- Legislation authored by State Rep. Penny Bernard Schaber (D-Appleton) cleared an important hurdle today, as the Assembly Committee on Education voted 8-1 in favor of passage. The bill would close a loophole in state law that allows daycare centers to operate without licenses by simply calling themselves private schools.

The loophole first came to light in the spring of 2010, when the Appleton Fire Department shut Grace's Garden Academy, a local day care center, for building code violations. The inspector found numerous violations, including infants sleeping in a closed basement room with no supervision or monitors, no functional smoke detectors, and a basement packed with toys from the floor to ceiling. The inspector also found a total of 19 children, ranging in age from three months to five years, under the care of only three adults. Inspectors from the state Dept. of Children & Families (DCF) attempted to close the center in the fall of 2009, but Grace's Garden was able to remain open when the owner declared it a private school.

Assembly Bill 215 would close this loophole by requiring private schools that care for children under the age of three to obtain a license to operate a daycare. The Committee added an amendment, authored by Rep. Dean Knudson (R-Hudson), to exempt accredited private schools from the licensing requirement.

Rep. Bernard Schaber praised the committee results. "I'm grateful that my colleagues and I have been able to set partisanship aside and reach a compromise that will keep kids safe," said Rep. Bernard Schaber. "This bill will protect children from day care providers who cut corners and endanger their safety, without burdening legitimate private schools and day care centers with additional regulations."

Senate Bill 179, the Senate companion bill to AB 215, passed the Senate Education Committee unanimously last month. Both bills are now ready to be scheduled for votes before the full Legislature.

###